

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419
Dkt. No. 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:

CRAIG S. SIMAS, JOAN SIMAS,
Plaintiff(s),
v.
OCEAN STATE PAIN MANAGEMENT P.C.,
ABDUL BARAKAT, M.D.
Defendants
CIVIL ACTION NO. 1:13-cv-10943-RWZ

and

MARGARET HANSON, et al
Plaintiff(s),
v.
OCEAN STATE PAIN MANAGEMENT
Defendant
CIVIL ACTION NO. 1:13-cv-10685

**[PROPOSED] ORDER REGARDING SCHEDULING IN
OCEAN STATE PAIN MANAGEMENT CASES**

WHEREAS, on June 13, 2016, this Court ordered that plaintiffs and defendants in a list of cases, including Simas v. Ocean State Pain Management, P.C. (No. 1:13-cv-10943) and Hanson v. Ocean State Pain Management (No. 1:13-cv-10685), show cause as to why their cases should not be remanded or transferred back to the district in which they were originally filed [MDL Docket #2928].

WHEREAS, on June 20, 2016, Plaintiffs Craig and Joan Simas filed their Response to Order to Show Cause [MDL Docket #2931] and, on June 21, 2016, Ocean State filed its response to Order to Show Cause [MDL Docket #2937].

WHEREAS, Plaintiffs in the Hanson case have joined in the Simas's Response to the Order to Show Cause.

WHEREAS, at the September 28, 2016 status conference, this Court requested that affected parties propose a schedule regarding how the cases would proceed.

IT IS HEREBY ORDERED THAT the Court sets the following deadlines:

1. Fact Discovery-Interim Deadlines.

- a.** All requests for production of documents and interrogatories must be served by **December 30, 2016.**
- b.** All requests for admission must be served by **January 27, 2017.**
- c.** All depositions, other than expert depositions, must be completed by **May 26, 2017.**

2. Fact Discovery-Final Deadline. All discovery, other than expert discovery, must be completed by **May 26, 2017.**

3. Expert Discovery.

- a.** Plaintiff's trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed by **July 21, 2017.**
- b.** Plaintiff's trial experts must be deposed by **September 15, 2017.**
- c.** Defendant's trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by **August 18, 2017.**
- d.** Defendant's trial experts must be deposed by **October 13, 2017.**

4. Dispositive Motions.

- a.** Dispositive motions, such as motions for summary judgment or partial summary judgment, must be filed by **December 15, 2017.**
- b.** Oppositions to dispositive motions must be filed by **January 19, 2018.**

IT IS SO ORDERED.

The Honorable Rya W. Zobel
United States District Judge

Dated: November , 2016

Certificate of Service

I, Timothy P. Wickstrom hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filing will be sent to these parties by operation of the Court's electronic filing system.

Dated: October 27, 2016

/s/ Timothy P. Wickstrom

Timothy P. Wickstrom